

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHRISTIAN DAVID ENTO,

Plaintiff,

v.

THE STATE OF NEW JERSEY, *et al.*,

Defendants.

Case No. 1:22-cv-01600-BAM (PC)

ORDER TRANSFERRING CASE TO THE
DISTRICT OF NEW JERSEY

Plaintiff Christian David Ento (“Plaintiff”), a county jail inmate proceeding *pro se*, has filed a civil rights action pursuant to 42 U.S.C. § 1983, together with a motion to proceed *in forma pauperis*. (ECF Nos. 1, 2.)

The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants are residents of the State in which the district is located, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

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1 In this case, the defendants do not appear to reside in this district. While Plaintiff does not
2 allege where the claims arose, the only named defendants are the State of New Jersey and the
3 States of Arkansas and Nebraska. Plaintiff has not alleged that any of these defendants have any
4 connection to the Eastern District of California. Therefore, Plaintiff's case is not properly filed in
5 the Eastern District of California, but it appears the claim could have been filed in the United
6 States District Court for the District of New Jersey. In the interest of justice, a federal court may
7 transfer a complaint filed in the wrong district to the correct district. *See* 28 U.S.C. § 1406(a);
8 *Ravelo Monegro v. Rosa*, 211 F.3d 509, 512 (9th Cir. 2000).

9 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United
10 States District Court for the District of New Jersey. This Court has not ruled on Plaintiff's
11 request to proceed *in forma pauperis*.

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13 IT IS SO ORDERED.

14 Dated: December 15, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE